



MEMORANDUM

MONROE COUNTY PLANNING & ENVIRONMENTAL RESOURCES DEPARTMENT

We strive to be caring, professional and fair

To: The Development Review Committee & Townsley Schwab, Acting Sr. Director of Planning & Environmental Resources

From: Steven Biel, Senior Planner

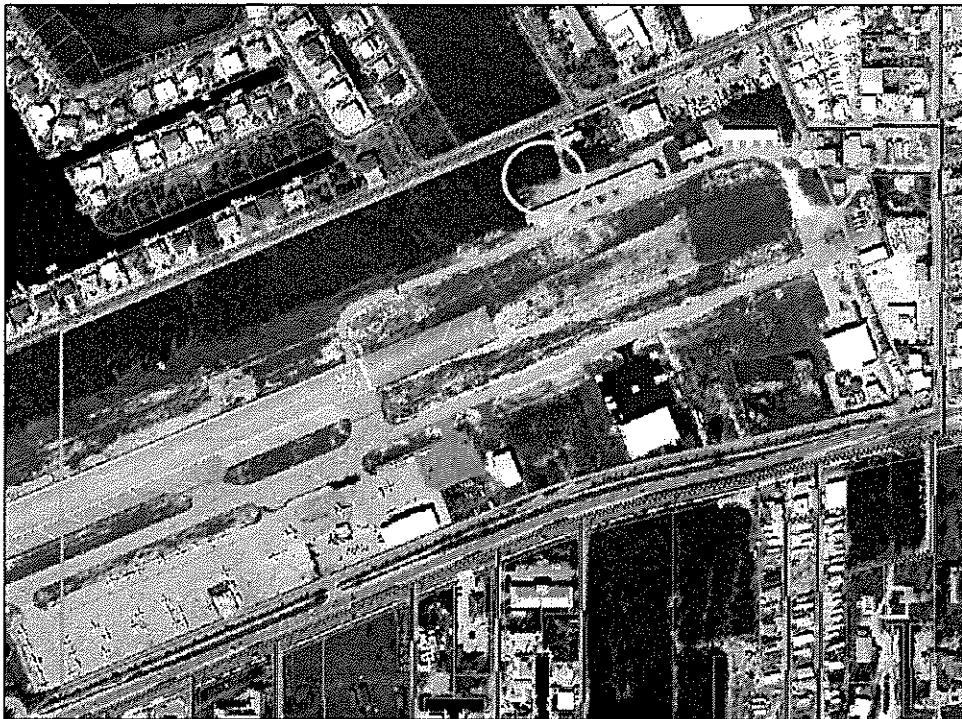
Date: March 16, 2009 *AB*

Subject: *Request for a Minor Conditional Use Permit for an aircraft hangar, to be located on a leased portion of land at the Florida Keys Marathon Airport, Marathon, having Real Estate No. 00104500.000000.*

Meeting: March 24, 2009

I REQUEST:

The applicant is requesting approval of a minor conditional use permit in order to construct one (1) aircraft hangar, approximately 4,000 ft² in area, on a leased portion of land at the Florida Keys Marathon Airport. The proposed hangar would be for the storage of two (2) aircraft and associated equipment.



Subject Property (identified in yellow) (2006)

Location:

Address: 10600 Overseas Highway, Florida Keys Marathon Airport (the leased property is approximately 130 feet to the south of Aviation Boulevard and approximately 170 feet to the west of the Aviation Boulevard/Stirrup Key Road intersection)

Legal Description: Section 6, Township 66, Range 33, N66306-31, Key Vaccas, Part Lot 2, Monroe County, Florida

Real Estate Number: Part 00104500.000000

Applicant:

Owner: Monroe County Flight

Agent: R. Daniel Zieg

II RELEVANT PRIOR COUNTY ACTIONS:

Islands Flying Club, Inc. is the lessee of an approximate 5,400 ft² of undeveloped land at the Florida Keys Marathon Airport. The party entered into a contract lease agreement with the Board of County Commissioners on November 19, 2008 in order to construct a 4,000 ft² enclosed hanger for the storage of two (2) aircraft. The term of the lease is for 20 years with the lessee having the option to renew for one additional 10 year period.

III BACKGROUND INFORMATION:

- A. Size of Site (Leased Area Only): 5,400 ft² (0.12 acres)
Total Size of Airport: RE 00104500.000000 (67.5 acres) & RE 00101160.000000 (152.25 acres) = 219.75 acres total
- B. Land Use District: Airport district (AD)
- C. Future Land Use Map (FLUM) Designation: Airport (AD)
- D. Tier Designation: Tier 3
- E. Flood Zone: AE – EL 7
- F. Existing Use: Airport
- G. Existing Vegetation / Habitat of Site: Scarified.
- H. Community Character of Immediate Vicinity: Mixed Use - airport, public, residential, commercial and industrial uses

IV REVIEW OF APPLICATION:

MCC §110-67 provides the standards which are applicable to all conditional uses. When considering applications for a conditional use permit, the Development Review Committee and Director of Planning shall consider the extent to which:

- A. *The conditional use is consistent with the purposes, goals, objectives and standards of the comprehensive plan and the land development regulations:*

1 The proposed development is consistent with the purposes, goals, objectives and
2 standards of the AD future land use category and the AD District.

3
4 Policies from the Monroe County Year 2010 Comprehensive Plan that directly pertain to
5 the proposed development include:
6

7 1. Policy 101.4.16: The principal purpose of the AD land use category is to prohibit the
8 development of residential, educational or other uses which are characterized by the
9 regular presence of large numbers of people within the hazard areas of civil and
10 military airports.

11
12 2. Policy 501.1.6: Monroe County shall provide space at public airports for a wide
13 variety of aviation activities in order to provide a wide variety of services to the
14 community.
15

16 B. *The conditional use is consistent with the community character of the immediate vicinity:*
17

18 The proposed hanger would be approximately 125 feet from the Stand Up for Animals
19 facility and approximately 400 feet from the closest residence on the north side of
20 Aviation Boulevard.
21

22 The immediate vicinity consists of a mix of uses including residential to the north of
23 Aviation Boulevard, public uses to the northeast of the proposed hanger and an open-
24 sided hanger with nine bays approximately 60 feet directly to the south of the proposed
25 hanger. The proposed hanger would be consistent with the surrounding community
26 character.
27

28 C. *The design of the proposed development minimizes adverse effects, including visual*
29 *impacts, on adjacent properties:*
30

31 The proposed hanger would be constructed between an existing open-sided hanger and
32 the approximate 110-foot wide hammock stand that is along Aviation Boulevard. It is
33 comparable in size to many other hangars at the airport and the applicant has expressed
34 interest in using a neutral color scheme, to be agreed upon with the Planning &
35 Environmental Resources Department staff, which ensures that the structure is not out of
36 context with existing development at the airport. Therefore, the proposed project would
37 not have an adverse effect on adjacent properties.
38

39 D. *The proposed use will have an adverse impact on the value of surrounding properties:*
40

41 It is not anticipated that the proposed project would have an adverse impact on the value
42 of the surrounding properties.
43

44 E. *The adequacy of public facilities and services:*
45

46 1. Roads:

1
2 *Localized Impacts & Access Management:* Access to the proposed hanger would be
3 from an existing gated entrance on Aviation Boulevard (See section I-21, Access
4 Standards).
5

6 *Level of Service (LOS):* The level of service would not be affected by the proposed
7 two-bay hanger. The applicant already stores the two (2) planes that would utilize the
8 proposed hanger at the airport (See section I-22, Traffic Study).
9

- 10 2. Stormwater: The applicant shall coordinate with the County Engineer, and, if
11 necessary, the South Florida Water Management District (SFWMD) to determine
12 compliance with all applicable regulations (See section I-9, Surface Water
13 Management Criteria).
14
15 3. Sewer: The applicant shall coordinate with the Florida Department of Health and/or
16 Florida Department of Environmental Protection to determine compliance with all
17 applicable regulations (See section I-10, Wastewater Treatment Criteria).
18
19 4. Emergency Management: The applicant shall coordinate with the City of Marathon
20 Fire Rescue to determine compliance with the Florida Fire Prevention Code, the
21 Florida Building Code, the National Fire Protection Code (NFPA 1) and the Life
22 Safety Code (NFPA 101). Islands Flying Club, Inc. sent a letter of coordination to
23 the City of Marathon Fire Rescue for review. The City of Marathon Fire Rescue
24 noted that after conceptual approval of the proposed hanger was granted, preliminary
25 fire protection plans would have to be submitted to the Fire Chief's office prior to
26 issuance of a building permit.
27

28 F. *The applicant has the financial and technical capacity to complete the development as*
29 *proposed:*
30

31 Staff has no evidence to support or disprove the applicant's financial and technical
32 capacity.
33

34 G. *The development will adversely affect a known archaeological, historical or cultural*
35 *resource:*
36

37 The proposed development would not adversely affect a known archaeological, historical
38 or cultural resource.
39

40 H. *Public access to public beaches and other waterfront areas is preserved as part of the*
41 *proposed development:*
42

43 The subject property is land-locked. Therefore, the proposed development will not have
44 an adverse impact on public access to a waterfront area.
45

I. *The project complies with all additional standards imposed on it by the Land Development Regulations:*

1. Residential Rate of Growth Ordinance (ROGO) (§138-20): *In compliance.*

No residential use is proposed.

2. Non-Residential Rate of Growth Ordinance (NROGO) (§138-48): *In compliance.*

The proposed hanger would consist of approximately 4,000 ft² of non-residential floor area. Based on Article 1 of the contract lease agreement, Monroe County will obtain title of all fixed improvements constructed on the lease premises upon termination of the lease. Since the Florida Keys Marathon Airport is a public airport owned by the county, the proposed hanger shall be considered a public facility and is not subject the NROGO permit allocation system in accordance with MCC §138-50(3) and Policy 101.3.4 of the Monroe County Year 2010 Comprehensive Plan.

3. Purpose of the AD District (§130-27): *In compliance.*

The proposed development would be consistent with the purpose of the AD District. The purpose of the AD District is to prohibit the development of residential, educational, or other uses that are characterized by the regular presence of large numbers of people within the hazard areas of civil and military airports.

4. Permitted Uses (§130-75): *In Compliance if conditional use approval is granted.*

MCC §130-75(2) states that within the property boundaries of public airports, airport uses of less than 5,000 ft² of enclosed area shall require a minor conditional review.

5. Residential Density and Maximum Floor Area Ratio (§130-157, §130-162, & §130-164): *In compliance.*

Based on the Property Appraiser's records for the airport, there is 110,611 ft² of total floor area on the airport property. With the proposed hanger, the total floor area of the airport property would increase by 4,000 ft² to 114,611 ft².

Pursuant to MCC §130-164, in the AD District, the maximum floor area ratio (FAR) for airport uses is 0.10 or ten percent:

Land Use	FAR	Size of Site	Max Allowed	Proposed	Dev. Potential Used
Airport Uses	0.10	9,572,310 ft ²	957,231 ft ²	114,611 ft ²	11.97%

6. Required Open Space (§130-164 & §118-9): *In Compliance.*

1 In the AD District, there is a required open space ratio of 0.20. The airport area
2 consists of 9,572,310 ft² of land area. Therefore, the amount of required open space
3 is 1,914,462 ft².
4

5 No open space calculations were provided in the application for the entire airport
6 property. Based on the minimal area of the proposed hangar and the large amount of
7 existing open space, staff has found that the open space requirements for the site as a
8 whole would remain in compliance.
9

10 The location of the leased area is adjacent to a portion of hammock located along
11 Aviation Boulevard. The leased area has been previously cleared of exotic species in
12 consultation with the County Biologist. None of the hammock was disturbed, and in
13 fact was enhanced by the removal of the exotic species.
14

15 7. Minimum Yards (§130-186 & §118-12): *In compliance.*
16

17 The required setbacks in the AD District are as follows: Front yard – 200 feet; Rear
18 yard – 200 feet; and Side yard – 200 feet. The proposed hangar would be set back
19 approximately 150 feet from the Aviation Boulevard right-of-way. All other setback
20 requirements would be in compliance. Previous approvals for the airport have
21 waived the 200-foot setback requirement along Aviation Boulevard.
22

23 The proposed hangar would not be closer to the Aviation Boulevard right-of-way than
24 other existing structures including the nearby Monroe County Public Works facility
25 and the Stand Up for Animals facility.
26

27 8. Maximum Height (§130-187): *In Compliance.*
28

29 A formal elevation has not been submitted, however, a sketch of the proposed hangar
30 showing height dimensions was included with drainage calculations showing the
31 height of the proposed hangar to be 20 feet.
32

33 9. Surface Water Management Criteria (§114-3): *Compliance to be determined by the*
34 *South Florida Water Management District prior to issuance of a building permit.*
35

36 The applicant shall coordinate with the South Florida Water Management District
37 (SFWMD) to determine compliance with MCC §114-3. SFWMD has reviewed a site
38 plan submitted by Islands Flying Club, Inc. and commented that a modification to the
39 Marathon Airport Surface Water Management Permit (#44-00187-S) would be
40 necessary. The club is in the process of making revisions in response to SFWMD
41 comments.
42

43 10. Wastewater Treatment Criteria (§114-5): *Not applicable.*
44

45 There will be no restroom facilities; therefore, the proposed hangar would not be
46 required to connect to sewer.

11. Fencing (§114-20): *Not applicable.*

No fencing proposed for the leased area is proposed at this time.

12. Energy Conservation Standards (§114-45): *In compliance.*

Islands Flying Club, Inc. has discussed the possibility of harvesting the rain water from the hanger roof for use in washing the aircraft that would utilize the hanger. Staff supports this initiative.

13. Potable Water Conservation Standards (§114-46): *In compliance.*

There is no proposed service for water or sewer service.

14. Required Parking (§114-67): *In compliance.*

The proposed hanger would be subject to the following off-street parking requirements:

Specific Use	Multiplier	Proposed	Required Spaces
Hangers	1 space / hanger*	1 hanger w/ 2 bays	2

* As a note, the land development code does not provide a parking standard for this type of use. The parking requirement the hanger is based on boat storage parking requirement which is one space per four slips (i.e. hangers and tie-downs)

As part of the lease agreement, the club as agreed to park any vehicles associated with the proposed hanger inside the hanger. The two (2) aircraft that would be parked in the hanger have the capability to seat four (4) persons per plane. Therefore, there is the potential for eight (8) vehicles being parked in the hanger at any given time.

Handicap Parking: The Islands Flying Club is a private club and not a commercial business. Therefore, a reserved handicap-accessible parking space is not required. However, the parking area within the hangar would be large enough to accommodate a handicap-accessible vehicle and the ground would be surfaced with concrete or asphalt; surfaces that would meet the requirements for a handicap-accessible parking space.

Bicycle/Scooter Parking: There would be no provisions for bicycle or scooter parking. However, bicycles and scooters could be stored within the proposed hangar.

15. Required Loading and Unloading Spaces (§114-69): *Not applicable.*

16. Required Landscaping (§114-99, §114-100, §114-101 & §114-102): *Not applicable.*

17. Required Buffer-yards (§114-126, 114-127 & §114-128): *In compliance.*

The County Biologist has determined the existing approximate 110-foot hammock vegetation along Aviation Boulevard satisfies the requirement for a Class E district buffer-yard.

18. Shoreline Setbacks (§118-12): *Not applicable.*

19. Outdoor Lighting (§114-159, §114-160, §114-161 & 114-162): *Compliance to be determined upon submittal to Building Department.*

20. Signs (§142-4 & §142-5): *Not applicable.*

No signage is proposed as part of the conditional use permit application.

21. Access Standards (§114-195 & §114-196): *In compliance.*

Access would be from an existing gated entrance on Aviation Boulevard.

22. Traffic Study (§114-200): *In compliance.*

A traffic study is not required for this proposal as there would be no new traffic trips generated from the proposed hanger as the two (2) aircraft that would utilize the hanger are already parking at the airport.

23. Clear Sight Triangle (§114-201): *In compliance.*

24. Floodplain Management (§122-2): *Compliance to be determined upon submittal to Building Department.*

The site is designated within AE – EL 7 flood zone on the Federal Emergency Management Agency (FEMA)'s flood insurance rate maps. All new structures must be built to floodplain management standards that meet or exceed those for flood protection.

26. Chapter 533, Florida Statutes: *Compliance to be determined upon submittal to the Building Department.*

V RECOMMENDATION:

Staff recommends APPROVAL of the minor conditional use permit to the Director of Planning and Environmental Resources with the following conditions:

- A. Based on Article 1 of the contract lease agreement, Monroe County will obtain title of all improvements made by the lessees to the premises upon termination of the lease. Therefore, the floor area is not subject to the Non-Residential Rate of Growth Ordinance (NROGO) permit allocation system. It may not be converted into a non-

1 public use or transferred off-site without permit approvals and a NROGO application
2 for and receipt of a non-residential floor area allocation.
3

4 B. Prior to the issuance of a Development Order, a site plan shall be submitted showing
5 the boundaries of the leased area and confirming the hangar's setback from Aviation
6 Boulevard.
7

8 C. Prior to the issuance of a building permit, the proposed hangar shall be found in
9 compliance by the Monroe County Building Department and the Monroe County
10 Floodplain Administrator.
11

12 D. Prior to the issuance of a building permit, Islands Flying Club, Inc. shall receive all
13 necessary approvals from the South Florida Water Management District.
14

15 E. Prior to issuance of a building permit, the development shall be found in compliance
16 by the Building Department and the City of Marathon Fire Rescue.
17

18 In addition, if found necessary, staff reserves the right to request additional conditions at the
19 meeting of the Development Review Committee.
20

21 VI PLANS REVIEWED:
22

23 A. Drainage Calculations prepared by W. Barnett Ent., Inc., dated February 23, 2009

24 B. Lease Agreement between Florida Keys Marathon Airport and Islands Flying Club, Inc.,
25 dated June 8, 2008